ADUR & WORTHING
ES
AWDM/ 0542/13
- 8 MAY 2013
VALID

C Planning
J Town Planning Consultancy

SUPPORTING STATEMENT

SITE	**FORMER PARCELFORCE BUILDING, 79 - 81 BRIGHTON ROAD SHOREHAM-BY-SEA WEST SUSSEX BN43 6RE**
PROJECT	**CONTINUED USE AS ROLLER SKATING RINK**

1. Description of site and proposal

The application site is the former Parcelforce depot and associated car park, located on the south side of Brighton Road, Shoreham-by-Sea.

The building that is the subject of the application is large warehouse building, with a floor area of approximately 2165m^2

This application seeks planning permission to renew planning permission ref. AWD/0560/11 for use of the building as a roller skating rink, for a further period of 12 months.

2. Background

There is planning permission for a comprehensive mixed use development of this site, which was renewed in November 2011. A further major redevelopment proposal for site, submitted by new owners in April 2012, is currently under consideration by the LPA.

In the summer of 2011, the applicants entered into a lease arrangement with the new owners to use the space as a roller skating rink on a temporary basis until the redevelopment commences.

Planning permission was granted on 10th November 2011 (ref. AWD/0560/11) for retrospective, temporary change of use for the roller rink use until 31st May 2012. The reason for this condition was stated as:

"Having regard to saved policy AG1 of the Adur District Local Plan and in order to enable the Local Planning Authority to review the special circumstances under which this permission is granted."

The officer's report indicates that the purpose of setting the time limit was to allow the impact of the use to be monitored in relation to potential noise disturbance to the residents of the house boats in the moorings behind the site.

The LA's Environmental Health Team raised no objection to the application, subject to a condition limiting the noise level to *"not exceed 55dB LAeq (F) 1 hour as measured 1.5m from the southern façade of the premises"* and site activity to cease by *"no later than 10pm"*

These recommendations were set out as conditions 3 and 4 of the planning permission. Condition 3 required that a noise report from an acoustic specialist be submitted to the LPA for approval to demonstrate that the recommendation could be achieved.

The parameters of this report were agreed with the EH Team. In particular, it was requested that the noise measuring equipment be located at the rear of site, on the jetty close to the house boats, so that the readings would not be skewed by traffic from the Brighton Road.

The report was submitted to the LPA in February 2012 – a copy is enclosed with this application for ease of reference. The Report concludes that:

"On the 1st of February 2012 a noise survey was undertaken at the Roller Central roller disco in Shoreham-by-Sea to assess noise breakout from the southern façade of the building during a noisy period. The results show that noise breakout levels from the Roller Central building fall within the permissible ranges outlined by the local council and WHO guidelines."

On 22nd March 2012, the applicants applied to extend the time limit of the planning permission for a further 6 months. The application was recommended for approval by officers.

However, the application was refused by the Adur Planning Committee on the 2nd May 2012 for the following reason:

"The continued use of the building as a roller skating rink would have an un-neighbourly and detrimental impact on the residential amenities of the occupiers of the adjacent houseboats by reason of noise and general activity, contrary to policies AG1 and AR7 of the Adur District Local Plan and the National Planning Policy Framework."

The chief reason for this overturn of the officer's recommendation appears to have been the Member's reliance on matters raised by objectors residing in the house boats moored at the rear of the site.

A number of the objections go beyond the scope of planning considerations; but noise and general disturbance allegedly caused by the applicants use of the building was cited in the reason for refusal. This was despite the fact that the EH officer raised no objections to the application.

A further application to extend the opening hours was submitted on 28th May 2012 (ref. AWDM/0681/12), accompanied by additional information about noise reduction measures and a commitment from the applicants to put into place a management plan. This application was approved on 25th July 2012 for an extension of the temporary use until 31st December 2012.

The permission was further extended until 30th April 2013 on 11th January 2013 (ref. WDM/1464/12).

3. *Current situation*

The applicants are still searching for suitable alternative premises; however, the main obstacle is the lack of suitably sized properties that have D2 consent.

The freeholder has offered a further short-term lease for another year, pending commencement of the major redevelopment once planning permission for that has been granted – expected in summer 2013.

The management plan has been in place for some time now and relationships between the applicants and the house boat residents have improved considerably as a result.

4. *Conclusion*

The benefits arising from this further temporary planning permission are clear:

i) continued security for the owners as the building will be occupied
ii) retention of a popular community leisure use
iii) retention of local jobs
iv) spin-off trade for local businesses.

Therefore, and in the absence of any material considerations that indicate otherwise, there is no reason why the application should not be ***APPROVED*** in accordance with S38 (6) of the Planning and Compulsory Purchase Act 2004.